

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard Kingsley Stuart, Jr., Jeffery Lynn Presley,  
 Kenneth Francis Grzybowski

Serial No.:

Group Art Unit:

Filed:

Examiner:

For: MODIFIED ASPHALT COMPOSITIONS

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENTUNDER 37 CFR 1.97(b)

In accordance with 37 CFR 1.56, the documents listed on the attached Information Disclosure Statement by Applicant are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

An International Search Report in connection with the corresponding PCT application has been received. A copy is enclosed.

The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last.

Respectfully submitted,

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11/12/03  
 Date

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## CERTIFICATE OF MAILING UNDER 37 CFR 1.10

"EXPRESS MAIL" Mailing Label No.: EU472250542USDate of Deposit: November 12, 2003

I hereby certify that this Transmittal of Information Disclosure Statement Under 37 CFR 1.97(b) and the Documents referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jo Ann White

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Substitute for form 1449 <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Attorney Docket Number <b>80050 (US02)</b> First Named Inventor <b>Richard Kingsley Stuart, Jr. et al.</b> <b>COMPLETE IF KNOWN</b> Application Number Filing Date Group Art Unit
Sheet	<b>1</b>	of	<b>3</b>	Examiner Name

<b>U.S. PATENT DOCUMENTS</b>				
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)	
		3,896,069		Kosaka et al. 07-22-1975
		4,091,134		Uemura et al. 05-23-1978
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		5,070,123		Moran 12-03-1991

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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				First Named Inventor	Richard Kingsley Stuart, Jr. et al.
				COMPLETE IF KNOWN	
				Application Number	
				Filing Date	
				Group Art Unit	
Sheet	2	of	3	Examiner Name	

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Sheet	3	of	3	Examiner Name

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		2003/0165682	A1	Menting et al.	09-04-2003
		H1250		Gilmore et al.	11-02-1993

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
		DE	3819931 (abstract)	C2	Veba Oel AG	10-25-1990
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		JP	52029621 (abstract)	A	Toyo Soda KK	03-05-1977
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author(in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published.				

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